

# Senate File 403 - Reprinted

SENATE FILE \_\_\_\_\_  
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1247)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act addressing financial and regulatory matters by making and  
2 revising appropriations, providing for properly related  
3 matters, and providing effective dates.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 1112SV 82  
6 jp/gg/14

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1 1 DIVISION I  
1 2 ADMINISTRATION AND REGULATION  
1 3 DEPARTMENT OF ADMINISTRATIVE SERVICES  
1 4 UTILITY COSTS  
1 5 Section 1. 2006 Iowa Acts, chapter 1177, section 1,  
1 6 subsection 2, is amended to read as follows:  
1 7 2. For the payment of utility costs:  
1 8 ..... \$ ~~3,080,865~~  
1 9 4,080,865  
1 10 Notwithstanding section 8.33, any excess funds appropriated  
1 11 for utility costs in this subsection shall not revert to the  
1 12 general fund of the state at the end of the fiscal year but  
1 13 shall remain available for expenditure for the purposes of  
1 14 this subsection during the fiscal year beginning July 1, 2007.  
1 15 It is the intent of the general assembly that the  
1 16 department shall reduce utility costs through energy  
1 17 conservation practices. The goal of the general assembly is  
1 18 to reduce energy use by ten percent to save money, conserve  
1 19 energy resources, and reduce pollution.  
1 20 OFFICE OF GOVERNOR  
1 21 Sec. 2. 2006 Iowa Acts, chapter 1177, section 10,  
1 22 subsection 2, is amended to read as follows:  
1 23 2. TERRACE HILL QUARTERS  
1 24 For salaries, support, maintenance, and miscellaneous  
1 25 purposes for the governor's quarters at Terrace Hill, and for  
1 26 not more than the following full-time equivalent positions:  
1 27 ..... \$ ~~378,633~~  
1 28 483,633  
1 29 ..... FTEs 8.00  
1 30 Sec. 3. 2006 Iowa Acts, chapter 1177, section 10,  
1 31 subsection 6, paragraph b, is amended to read as follows:  
1 32 b. For payment to the governor-elect expense fund in lieu  
1 33 of the appropriation from the general fund of the state under  
1 34 section 7.13 to the governor-elect expense fund:  
1 35 ..... \$ ~~100,000~~  
2 1 170,000  
2 2 DEPARTMENT OF REVENUE  
2 3 OPERATIONS  
2 4 Sec. 4. 2006 Iowa Acts, chapter 1177, section 18,  
2 5 unnumbered paragraph 2, is amended to read as follows:  
2 6 For salaries, support, maintenance, and miscellaneous  
2 7 purposes, and for not more than the following full-time  
2 8 equivalent positions:  
2 9 ..... \$ ~~23,138,575~~  
2 10 23,238,575  
2 11 ..... FTEs 392.64  
2 12 GOVERNOR  
2 13 Sec. 5. OFFICE OF RENEWABLE ENERGY. There is appropriated  
2 14 from the general fund of the state to the office of the  
2 15 governor and lieutenant governor for the fiscal year beginning  
2 16 July 1, 2006, and ending June 30, 2007, the following amount,  
2 17 or so much thereof as is necessary, to be used for the

2 18 purposes designated:  
2 19 For initial implementation of an office of renewable  
2 20 energy, in lieu of any other appropriation or allocation made  
2 21 for this purpose for the fiscal year of the appropriation and  
2 22 for the succeeding fiscal year, including salaries, support,  
2 23 maintenance, miscellaneous purposes and for not more than the  
2 24 following full-time equivalent positions:

2 25 ..... \$ 250,000  
2 26 ..... FTEs 3.00

2 27 Notwithstanding section 8.33, moneys appropriated in this  
2 28 section that remain unencumbered or unobligated at the close  
2 29 of the fiscal year shall not revert but shall remain available  
2 30 for expenditure for the purposes designated until the close of  
2 31 the succeeding fiscal year.

2 32 DIVISION II  
2 33 EDUCATION

2 34 STATE BOARD OF REGENTS

2 35 Sec. 6. BIOMASS PRODUCTION PROJECT. There is appropriated  
3 1 from the general fund of the state to the state board of  
3 2 regents for the fiscal year beginning July 1, 2006, and ending  
3 3 June 30, 2007, the following amount, or so much thereof as may  
3 4 be necessary, to be used for the purpose designated:

3 5 For a biomass production project at the university of  
3 6 northern Iowa to determine the feasibility of burning prairie  
3 7 vegetation for electrical generation:

3 8 ..... \$ 330,000

3 9 Notwithstanding section 8.33, moneys appropriated in this  
3 10 section that remain unencumbered or unobligated at the close  
3 11 of the fiscal year shall not revert but shall remain available  
3 12 for expenditure for the purposes designated until the close of  
3 13 the succeeding fiscal year.

3 14 DEPARTMENT OF CULTURAL AFFAIRS

3 15 Sec. 7. 2006 Iowa Acts, chapter 1185, section 41,  
3 16 subsection 1, is amended to read as follows:

3 17 1. For the African-American historical museum and cultural  
3 18 center of Iowa in Cedar Rapids:

3 19 ..... \$ ~~85,000~~  
3 20 160,000

3 21 Notwithstanding section 8.33, moneys appropriated in this  
3 22 subsection that remain unencumbered or unobligated at the  
3 23 close of the fiscal year shall not revert but shall remain  
3 24 available for expenditure for the purposes designated until  
3 25 expended. The historical museum and cultural center shall  
3 26 report to the department and the members and staff of the  
3 27 joint appropriations subcommittee on economic development on  
3 28 or before December 15, 2007, detailing the planned and actual  
3 29 uses for the moneys appropriated in this subsection.

3 30 Sec. 8. IOWA CAUCUS PROJECT. There is appropriated from  
3 31 the general fund of the state to the department of cultural  
3 32 affairs for the fiscal year beginning July 1, 2006, and ending  
3 33 June 30, 2007, the following amount, or so much thereof as is  
3 34 necessary, to be used for the purposes designated:

3 35 For funding of the Iowa caucus project:

4 1 ..... \$ 500,000

4 2 Notwithstanding section 8.33, moneys appropriated in this  
4 3 section that remain unencumbered or unobligated at the close  
4 4 of the fiscal year shall not revert but shall remain available  
4 5 for expenditure for the purposes designated until the close of  
4 6 the succeeding fiscal year.

4 7 DEPARTMENT OF EDUCATION

4 8 Sec. 9. SKILLS IOWA TECHNOLOGY GRANT PROGRAM.

4 9 1. There is appropriated from the general fund of the  
4 10 state to the department of education for the fiscal year  
4 11 beginning July 1, 2006, and ending June 30, 2007, the  
4 12 following amount, or so much thereof as is necessary, to be  
4 13 used for the purposes designated:

4 14 For continuation of the skills Iowa technology grant  
4 15 program in accordance with this section:

4 16 ..... \$ 3,000,000

4 17 2. The amount appropriated in this section shall be used  
4 18 to continue the skills Iowa technology grant program,  
4 19 previously known as the follow-the-leader technology grant  
4 20 program. The purpose of the program is to provide assessment  
4 21 and remediation tools to classrooms, to enhance teachers'  
4 22 ability to easily assess the skill levels of individual  
4 23 students and prescribe individualized instruction plans based  
4 24 on those assessments, and provide for professional development  
4 25 of teachers. The department shall contract with a  
4 26 not-for-profit entity with at least two years experience with  
4 27 the skills Iowa technology program and in providing technical  
4 28 assistance to schools in Iowa. The goals for the contractor

4 29 shall include minimizing disruption in the use of skills Iowa  
4 30 in schools. Any departmental administrative expenses  
4 31 associated with this appropriation shall not exceed \$50,000.

4 32 3. Notwithstanding section 8.33, moneys appropriated in  
4 33 this section that remain unencumbered or unobligated at the  
4 34 close of the fiscal year shall not revert but shall remain  
4 35 available for expenditure for the purposes designated until  
5 1 the close of the succeeding fiscal year.

5 2 Sec. 10. ASSISTIVE TECHNOLOGY LOANS.

5 3 1. There is appropriated from the general fund of the  
5 4 state to the department of education for the fiscal year  
5 5 beginning July 1, 2006, and ending June 30, 2007, the  
5 6 following amount, or so much thereof as is necessary, to be  
5 7 used for the purposes designated:

5 8 For the division of vocational rehabilitation services to  
5 9 issue a grant to a foundation to provide assistive technology  
5 10 loans and loan guarantees in accordance with this section:  
5 11 ..... \$ 500,000

5 12 2. The foundation must be headquartered in Iowa and be  
5 13 qualified as tax exempt under section 501(c)(3) of the  
5 14 Internal Revenue Code; operate for the purpose of offering  
5 15 loans to Iowans who need to purchase assistive technology such  
5 16 as specialized computers or software, wheelchairs,  
5 17 communication devices, home modifications, vehicle  
5 18 modifications, and other devices; have been in existence since  
5 19 1998; have offices in Des Moines and Centerville; and have  
5 20 experience in partnering with banks and the Iowa finance  
5 21 authority in providing loans.

5 22 3. The grant shall require the grantee to provide a  
5 23 dollar-for-dollar match.

5 24 4. The grant shall be used to provide loans and loan  
5 25 guarantees to or on behalf of Iowa residents who have a  
5 26 disability or disabling condition, are in need of assistive  
5 27 technology, are able to meet lending and purpose requirements,  
5 28 and are able to repay the loan.

5 29 5. Notwithstanding section 8.33, moneys appropriated in  
5 30 this section that remain unencumbered or unobligated at the  
5 31 close of the fiscal year shall not revert but shall remain  
5 32 available for expenditure for the purposes designated until  
5 33 the close of the succeeding fiscal year.

5 34 Sec. 11. MOBILE PRODUCTION UNIT. There is appropriated  
5 35 from the general fund of the state to the department of  
6 1 education for the fiscal year beginning July 1, 2006, and  
6 2 ending June 30, 2007, the following amount, or so much thereof  
6 3 as is necessary, to be used for the purposes designated:

6 4 For the public broadcasting division to purchase a mobile  
6 5 television production unit and digital equipment:  
6 6 ..... \$ 1,000,000

6 7 Notwithstanding section 8.33, moneys appropriated in this  
6 8 section that remain unencumbered or unobligated at the close  
6 9 of the fiscal year shall not revert but shall remain available  
6 10 for expenditure for the purposes designated until the close of  
6 11 the fiscal year beginning July 1, 2008.

6 12 DIVISION III

6 13 HEALTH AND HUMAN SERVICES

6 14 IOWACARE PROGRAM

6 15 Sec. 12. 2006 Iowa Acts, chapter 1184, section 60, is  
6 16 amended by adding the following new subsection:

6 17 NEW SUBSECTION. 4. There is appropriated from the  
6 18 IowaCare account created in section 249J.24 to the department  
6 19 of human services for reimbursement to the university of Iowa  
6 20 hospitals and clinics for the fiscal year beginning July 1,  
6 21 2006, and ending June 30, 2007, the following amount, or so  
6 22 much thereof as is necessary, to be used for the purposes  
6 23 designated:

6 24 For salaries, support, maintenance, equipment, and  
6 25 miscellaneous purposes, for the provision of medical and  
6 26 surgical treatment of indigent patients, for provision of  
6 27 services to members of the expansion population pursuant to  
6 28 chapter 249J, and for medical education:  
6 29 ..... \$ 10,000,000

6 30 The amount appropriated in this subsection shall be  
6 31 distributed only if federal funds are available to match the  
6 32 amount appropriated and expenses are incurred to serve the  
6 33 IowaCare expansion population.

6 34 Notwithstanding section 8.33, moneys appropriated in this  
6 35 subsection that remain unencumbered or unobligated at the  
7 1 close of the fiscal year shall not revert but shall remain  
7 2 available for expenditure for the purposes designated until  
7 3 the close of the succeeding fiscal year.

7 4 DIVISION IV

7 5 JUSTICE SYSTEM  
7 6 DEPARTMENT OF CORRECTIONS  
7 7 FACILITIES  
7 8 Sec. 13. 2006 Iowa Acts, chapter 1183, section 4,  
7 9 subsection 1, paragraphs b, c, e, g, and j, are amended to  
7 10 read as follows:  
7 11 b. For the operation of the Anamosa correctional facility,  
7 12 including salaries, support, maintenance, and miscellaneous  
7 13 purposes:  
7 14 ..... \$ ~~28,903,747~~  
7 15 29,253,747  
7 16 Moneys are provided within this appropriation for one  
7 17 full-time substance abuse counselor for the Luster Heights  
7 18 facility, for the purpose of certification of a substance  
7 19 abuse program at that facility.  
7 20 c. For the operation of the Oakdale correctional facility,  
7 21 including salaries, support, maintenance, and miscellaneous  
7 22 purposes:  
7 23 ..... \$ ~~28,972,190~~  
7 24 32,392,728  
7 25 e. For the operation of the Mt. Pleasant correctional  
7 26 facility, including salaries, support, maintenance, and  
7 27 miscellaneous purposes:  
7 28 ..... \$ ~~24,929,418~~  
7 29 25,479,418  
7 30 g. For the operation of the Clarinda correctional  
7 31 facility, including salaries, support, maintenance, and  
7 32 miscellaneous purposes:  
7 33 ..... \$ ~~24,251,587~~  
7 34 24,651,587  
7 35 Moneys received by the department of corrections as  
8 1 reimbursement for services provided to the Clarinda youth  
8 2 corporation are appropriated to the department and shall be  
8 3 used for the purpose of operating the Clarinda correctional  
8 4 facility.  
8 5 j. For reimbursement of counties for temporary confinement  
8 6 of work release and parole violators, as provided in sections  
8 7 901.7, 904.908, and 906.17 and for offenders confined pursuant  
8 8 to section 904.513:  
8 9 ..... \$ ~~799,954~~  
8 10 1,199,954

8 11 DEPARTMENT OF CORRECTIONS  
8 12 ADMINISTRATION  
8 13 Sec. 14. 2006 Iowa Acts, chapter 1183, section 5,  
8 14 subsection 1, paragraph a, unnumbered paragraph 1, is amended  
8 15 to read as follows:  
8 16 For general administration, including salaries, support,  
8 17 maintenance, employment of an education director to administer  
8 18 a centralized education program for the correctional system,  
8 19 and miscellaneous purposes:  
8 20 ..... \$ ~~3,928,438~~  
8 21 4,128,438

8 22 DEPARTMENT OF PUBLIC SAFETY  
8 23 DIVISION OF CRIMINAL INVESTIGATION  
8 24 Sec. 15. 2006 Iowa Acts, chapter 1183, section 16,  
8 25 subsection 2, unnumbered paragraph 1, is amended to read as  
8 26 follows:  
8 27 For the division of criminal investigation, including the  
8 28 state's contribution to the peace officers' retirement,  
8 29 accident, and disability system provided in chapter 97A in the  
8 30 amount of 17 percent of the salaries for which the funds are  
8 31 appropriated, to meet federal fund matching requirements, and  
8 32 for not more than the following full-time equivalent  
8 33 positions:  
8 34 ..... \$ ~~18,673,875~~  
8 35 19,140,375  
9 1 ..... FTEs 270.50

9 2 DEPARTMENT OF PUBLIC SAFETY  
9 3 STATE FIRE MARSHAL  
9 4 Sec. 16. 2006 Iowa Acts, chapter 1183, section 16,  
9 5 subsection 5, paragraph a, is amended to read as follows:  
9 6 a. For the division of state fire marshal, including the  
9 7 state's contribution to the peace officers' retirement,  
9 8 accident, and disability system provided in chapter 97A in the  
9 9 amount of 17 percent of the salaries for which the funds are  
9 10 appropriated, and for not more than the following full-time  
9 11 equivalent positions:  
9 12 ..... \$ ~~2,513,247~~  
9 13 2,613,247  
9 14 ..... FTEs 41.00  
9 15 DEPARTMENT OF PUBLIC SAFETY

STATE PATROL

Sec. 17. 2006 Iowa Acts, chapter 1183, section 16, subsection 6, unnumbered paragraph 1, is amended to read as follows:

For the division of state patrol, for salaries, support, maintenance, workers' compensation costs, and miscellaneous purposes, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions:

..... \$ 45,185,618
45,335,618
..... FTEs 531.00

Sec. 18. EQUIPMENT. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For equipment costs:
..... \$ 300,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

DIVISION V

INFRASTRUCTURE, TECHNOLOGY, AND EQUIPMENT
REBUILD IOWA INFRASTRUCTURE FUND

Sec. 19. IOWA JUVENILE HOME. There is appropriated from the rebuild Iowa infrastructure fund to the department of administrative services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purpose designated:

For the Iowa juvenile home powerhouse:
..... \$ 7,035,000

Notwithstanding section 8.33, moneys appropriated in this section that remain unencumbered or unobligated at the close of the fiscal year shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that begins July 1, 2010, or until the project for which the appropriation was made is completed, whichever is earlier.

TOBACCO SETTLEMENT TRUST FUND AND ROAD USE TAX FUND

Sec. 20. FY 2006=2007. There is appropriated from the tax-exempt bond proceeds restricted capital funds account of the tobacco settlement trust fund to the following departments and agencies for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For costs associated with the replacement of the roof at the governor's mansion at Terrace Hill:
..... \$ 700,000

b. For upgrades to the electrical distribution system serving the capitol complex:
..... \$ 800,000

2. DEPARTMENT OF PUBLIC SAFETY

For costs associated with the acquisition and maintenance of property, the purchase and installation of radio consoles at public safety facilities, and the purchase of equipment:
..... \$ 2,400,000

CHANGES TO PRIOR APPROPRIATIONS

DEPARTMENT OF ADMINISTRATIVE SERVICES
FY 2004=2005

Sec. 21. 2004 Iowa Acts, chapter 1175, section 304, subsection 1, paragraph a, is amended to read as follows:

a. For the payment of claims relating to the purchase and implementation of an integrated information for Iowa system, notwithstanding section 12E.12, subsection 1, paragraph "b", subparagraph (1):
..... \$ 6,049,284

4,549,284

DEPARTMENT OF PUBLIC SAFETY
FY 2005=2006

Sec. 22. 2006 Iowa Acts, chapter 1179, section 12, subsection 1, paragraph e, is amended to read as follows:

e. DEPARTMENT OF PUBLIC SAFETY

For construction of an Iowa state patrol post in district

11 27 8:  
11 28 ..... \$ 2,400,000  
11 29 ..... 0

11 30 OFFICE OF TREASURER OF STATE

11 31 Sec. 23. There is appropriated from the road use tax fund  
11 32 to the office of the treasurer of state for the fiscal year  
11 33 beginning July 1, 2006, and ending June 30, 2007, the  
11 34 following amount, or so much thereof as is necessary, to be  
11 35 used for the purposes designated:

12 1 For information technology-related expenses:  
12 2 ..... \$ 93,148

12 3 DIVISION VI

12 4 OTHER APPROPRIATIONS

12 5 Sec. 24. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND  
12 6 DEVELOPMENTAL DISABILITIES FUNDING. There is appropriated  
12 7 from the property tax relief fund created in section 426B.1 to  
12 8 the department of human services for the fiscal year beginning  
12 9 July 1, 2006, and ending June 30, 2007, the following amount,  
12 10 or so much thereof as is necessary, to be used for the  
12 11 purposes designated:

12 12 For payment to a county with a population of more than  
12 13 8,650 but less than 9,000, according to the 2005 population  
12 14 estimate issued by the federal government, of an amount equal  
12 15 to the second property tax relief fund distribution that was  
12 16 payable to the county in January 2006, not to exceed the  
12 17 amount appropriated in this section, had the county met the  
12 18 requirement under section 331.439, subsection 1, paragraph  
12 19 "a", to report by December 1, 2005, expenditures for mental  
12 20 health, mental retardation, and developmental disabilities for  
12 21 the previous fiscal year:  
12 22 ..... \$ 121,124

12 23 The county shall credit the amount received by the county  
12 24 pursuant to the appropriation made in this section to the  
12 25 county's mental health, mental retardation, and developmental  
12 26 disabilities services fund created under section 331.424A, for  
12 27 expenditure from the services fund as provided by law.

12 28 Sec. 25. ALLOWED GROWTH FUNDING.

12 29 1. There is appropriated from the property tax relief fund  
12 30 created in section 426B.1 to the department of human services  
12 31 for the fiscal year beginning July 1, 2006, and ending June  
12 32 30, 2007, the following amount, or so much thereof as is  
12 33 necessary, to be used for the purposes designated:

12 34 For allocation to a county as provided in this section:  
12 35 ..... \$ 121,960

13 1 2. There is appropriated from the general fund of the  
13 2 state to the department of human services for the fiscal year  
13 3 beginning July 1, 2006, and ending June 30, 2007, the  
13 4 following amount, or so much thereof as is necessary, to be  
13 5 used for the purposes designated:

13 6 For allocation to a county as provided in this section:  
13 7 ..... \$ 52,265

13 8 3. The appropriations made in this section shall be  
13 9 allocated to a county with a general population of more than  
13 10 10,500 but less than 10,600, according to the most recent  
13 11 population estimate issued by the federal government, and that  
13 12 met the requirements for distribution in January 2007 of  
13 13 allowed growth factor adjustment funding under the per capita  
13 14 expenditure target pool provisions in accordance with sections  
13 15 331.438 and 426B.5 and 2005 Iowa Acts, chapter 179, section 1,  
13 16 as amended by 2006 Iowa Acts, chapter 1184, section 73, except  
13 17 that the county's per capita expenditure amount was in excess  
13 18 of the statewide per capita expenditure target amount.

13 19 The county receiving the allocation made in this section  
13 20 shall credit the allocation to the county's mental health,  
13 21 mental retardation, and developmental disabilities services  
13 22 fund under section 331.424A.

13 23 DIVISION VII

13 24 REAL ESTATE EDUCATION

13 25 Sec. 26. NEW SECTION. 268.6 REAL ESTATE EDUCATION  
13 26 PROGRAM.

13 27 There is appropriated from the general fund of the state to  
13 28 the state board of regents for the fiscal year beginning July  
13 29 1, 2008, and for each succeeding fiscal year, one hundred  
13 30 sixty thousand dollars for allocation to the university of  
13 31 northern Iowa to be used for continuation of the real estate  
13 32 education program.

13 33 Sec. 27. Section 543B.54, Code 2007, is amended to read as  
13 34 follows:

13 35 543B.54 REAL ESTATE EDUCATION FUND.

14 1 1. The Iowa real estate education fund is created as a  
14 2 financial assurance mechanism to assist in the establishment

14 3 and maintenance of ~~a college credit~~ real estate education  
14 4 ~~program at the university of northern Iowa~~ programs at Iowa  
14 5 community colleges and other Iowa colleges and universities,  
14 6 and to assist the real estate commission in providing an  
14 7 education director. The fund is created as a separate fund in  
14 8 the state treasury, and any funds remaining in the fund at the  
14 9 end of each fiscal year shall not revert to the general fund,  
14 10 but shall remain in the Iowa real estate education fund.

14 11 2. Twenty-five dollars per license from fees deposited for  
14 12 each real estate salesperson's license and each broker's  
14 13 license shall be distributed and are appropriated to the ~~board~~  
14 14 ~~of regents real estate commission~~ for the purpose of  
14 15 establishing and maintaining ~~a real estate education program~~  
14 16 ~~at the university of northern Iowa~~ a program to provide grants  
14 17 to community colleges and other colleges and universities in  
14 18 the state providing programs under this section and using the  
14 19 curriculum maintained by the commission. Grants shall be  
14 20 awarded by a grant committee established by the real estate  
14 21 commission. The committee shall consist of seven members:  
14 22 two members of the commission, four members of the Iowa  
14 23 association of realtors, and one member of the general public.  
14 24 The commission shall promulgate rules relating to the  
14 25 organization and operation of the committee, which shall  
14 26 include the term of membership, and establishing standards for  
14 27 awarding grants. The members of the committee may be  
14 28 reimbursed for actual and necessary expenses incurred in the  
14 29 performance of their duties but shall not receive a per diem  
14 30 payment.

14 31 3. The remaining moneys in the fund shall be distributed  
14 32 and are appropriated to the professional licensing and  
14 33 regulation bureau of the banking division of the department of  
14 34 commerce for the purpose of hiring and compensating a real  
14 35 estate education director and regulatory compliance personnel.

15 1 Sec. 28. REAL ESTATE EDUCATION PROGRAM. There is  
15 2 appropriated from the general fund of the state to the state  
15 3 board of regents for the fiscal year beginning July 1, 2006,  
15 4 and ending June 30, 2007, the following amount, or so much  
15 5 thereof as is necessary, to be used for the purposes  
15 6 designated:

15 7 For allocation to the university of northern Iowa for the  
15 8 real estate education program for expenditure after June 30,  
15 9 2007:  
15 10 ..... \$ 160,000  
15 11 Notwithstanding section 8.33, moneys appropriated in this  
15 12 section that remain unencumbered or unobligated at the close  
15 13 of the fiscal year shall not revert but shall remain available  
15 14 for expenditure for the purposes designated until the close of  
15 15 the succeeding fiscal year.

15 16 Sec. 29. EFFECTIVE DATE. The sections of this division of  
15 17 this Act enacting section 268.6 and amending section 534B.54  
15 18 take effect July 1, 2007.

15 19 DIVISION VIII  
15 20 DISPOSAL OF STATE REAL PROPERTY

15 21 Sec. 30. Section 8D.11, subsection 1, Code 2007, is  
15 22 amended to read as follows:

15 23 1. a. The commission may purchase, lease, and improve  
15 24 property, equipment, and services for telecommunications for  
15 25 public and private agencies and may dispose of property and  
15 26 equipment when not necessary for its purposes. However, the  
15 27 commission shall not enter into a contract for the purchase,  
15 28 lease, or improvement of property, equipment, or services for  
15 29 telecommunications pursuant to this subsection in an amount  
15 30 greater than one million dollars without prior authorization  
15 31 by a constitutional majority of each house of the general  
15 32 assembly, or approval by the legislative council if the  
15 33 general assembly is not in session. The sale, exchange, or  
15 34 other means of disposal of property with a fair market value  
15 35 of five million dollars or more requires the prior  
16 1 authorization of a constitutional majority of each house of  
16 2 the general assembly and approval by the governor.

16 3 b. The commission shall not issue any bonding or other  
16 4 long-term financing arrangements as defined in section 12.30,  
16 5 subsection 1, paragraph "b". Real or personal property to be  
16 6 purchased by the commission through the use of a financing  
16 7 agreement shall be done in accordance with the provisions of  
16 8 section 12.28, provided, however, that the commission shall  
16 9 not purchase property, equipment, or services for  
16 10 telecommunications pursuant to this subsection in an amount  
16 11 greater than one million dollars without prior authorization  
16 12 by a constitutional majority of each house of the general  
16 13 assembly, or approval by the legislative council if the

16 14 general assembly is not in session.

16 15 Sec. 31. Section 29A.57, subsection 2, Code 2007, is  
16 16 amended to read as follows:

16 17 2. The board may acquire land or real estate by purchase,  
16 18 contract for purchase, gift, or bequest and acquire, own,  
16 19 contract for the construction of, erect, purchase, maintain,  
16 20 alter, operate, and repair installations and facilities of the  
16 21 Iowa national guard and the Iowa air national guard when funds  
16 22 for the installations and facilities are made available by the  
16 23 federal government, the state of Iowa, municipalities,  
16 24 corporations or individuals. The title to the property so  
16 25 acquired shall be taken in the name of the state of Iowa ~~and~~  
~~16 26 the real estate. If recommended by the board and authorized~~  
~~16 27 by a constitutional majority of each house of the general~~  
~~16 28 assembly and approved by the governor, real property with a~~  
~~16 29 fair market value of five million dollars or more may be sold~~  
~~16 30 or exchanged by the executive council, upon recommendation of~~  
~~16 31 the board, when it is no longer needed for the purpose for~~  
16 32 which it was acquired. Income or revenue derived from the  
16 33 sale of the real estate shall be credited to the national  
16 34 guard facilities improvement fund and used for the purposes  
16 35 specified in section 29A.14, subsection 2.

17 1 Sec. 32. Section 99G.21, subsection 3, Code 2007, is  
17 2 amended to read as follows:

17 3 3. Notwithstanding any other provision of law, any  
17 4 purchase of real property and any borrowing of more than one  
17 5 million dollars by the authority shall require written notice  
17 6 from the authority to the legislative government oversight  
17 7 committees and the prior approval of the executive council.  
17 8 ~~The sale, exchange, or other means of disposal of real~~  
~~17 9 property with a fair market value of five million dollars or~~  
~~17 10 more requires the authorization of a constitutional majority~~  
~~17 11 of each house of the general assembly and approval by the~~  
~~17 12 governor.~~

17 13 Sec. 33. Section 173.14, subsection 8, Code 2007, is  
17 14 amended to read as follows:

17 15 8. Take, acquire, hold, and dispose of property by deed,  
17 16 gift, devise, bequest, lease, or eminent domain. The title to  
17 17 real estate acquired under this subsection and improvements  
17 18 erected on the real estate shall be taken and held in the name  
17 19 of the state of Iowa and shall be under the custody and  
17 20 control of the board. ~~The sale, exchange, or other means of~~  
~~17 21 disposal of real property with a fair market value of five~~  
~~17 22 million dollars or more requires the prior authorization of a~~  
~~17 23 constitutional majority of each house of the general assembly~~  
~~17 24 and approval by the governor.~~ In the exercise of the power of  
17 25 eminent domain the board shall proceed in the manner provided  
17 26 in chapters 6A and 6B.

17 27 Sec. 34. Section 260C.14, subsection 6, Code 2007, is  
17 28 amended to read as follows:

17 29 6. Have authority to sell a student-constructed building  
17 30 and the property on which the student-constructed building is  
17 31 located or any article resulting from any vocational program  
17 32 or course offered at a community college by any procedure  
17 33 which may be adopted by the board. ~~However, the sale,~~  
~~17 34 exchange, or other means of disposal of real property with a~~  
~~17 35 fair market value of five million dollars or more requires the~~  
~~18 1 prior authorization of a constitutional majority of each house~~  
~~18 2 of the general assembly and approval by the governor.~~

18 3 Governmental agencies and governmental subdivisions of the  
18 4 state within the merged areas shall be given preference in the  
18 5 purchase of such articles. All revenue received from the sale  
18 6 of any article shall be credited to the funds of the board of  
18 7 the merged area.

18 8 Sec. 35. Section 262.9, subsection 7, Code 2007, is  
18 9 amended to read as follows:

18 10 7. Acquire real estate for the proper uses of institutions  
18 11 under its control, and dispose of real estate belonging to the  
18 12 institutions when not necessary for their purposes. ~~The sale,~~  
~~18 13 exchange, or other means of disposal of real property with a~~  
~~18 14 fair market value of five million dollars or more requires the~~  
~~18 15 prior authorization of a constitutional majority of each house~~  
~~18 16 of the general assembly and approval by the governor.~~ The  
18 17 disposal of real estate shall be made upon such terms,  
18 18 conditions, and consideration as the board may recommend. If  
18 19 real estate subject to sale has been purchased or acquired  
18 20 from appropriated funds, the proceeds of such sale shall be  
18 21 deposited with the treasurer of state and credited to the  
18 22 general fund of the state. There is ~~hereby~~ appropriated from  
18 23 the general fund of the state a sum equal to the proceeds so  
18 24 deposited and credited to the general fund of the state to the

18 25 state board of regents, which may be used to purchase other  
18 26 real estate and buildings and for the construction and  
18 27 alteration of buildings and other capital improvements. All  
18 28 transfers shall be by state patent in the manner provided by  
18 29 law. The board is also authorized to grant easements for  
18 30 rights-of-way over, across, and under the surface of public  
18 31 lands under its jurisdiction when in the board's judgment such  
18 32 easements are desirable and will benefit the state of Iowa.

18 33 Sec. 36. Section 313.2, unnumbered paragraph 5, Code 2007,  
18 34 is amended to read as follows:

18 35 The department, either alone or in ~~co-operation~~ cooperation  
19 1 with any county, ~~shall have the authority to~~ may utilize any  
19 2 land acquired incidental to the acquisition of land for  
19 3 highway right of way and to also accept by gift, lands not  
19 4 exceeding two acres in area for roadside parks and parking  
19 5 areas. The department may furnish necessary maintenance. The  
19 6 department ~~shall also have authority to~~ may accept by gift,  
19 7 equipment or other installations incidental to the use of ~~said~~  
19 8 ~~such~~ parks and parking areas. ~~Said Such~~ parks and parking  
19 9 areas shall be a part of the primary road system and the  
19 10 department may at its discretion sell or otherwise dispose of  
19 11 ~~said such~~ lands. The sale, exchange, or other means of  
19 12 disposal of any real property with a fair market value of five  
19 13 million dollars or more requires the prior authorization of a  
19 14 constitutional majority of each house of the general assembly  
19 15 and approval by the governor.

19 16 Sec. 37. Section 455A.5, subsection 6, paragraph c, Code  
19 17 2007, is amended to read as follows:

19 18 c. Approve or disapprove proposals for the acquisition or  
19 19 disposal of state lands and waters relating to state parks,  
19 20 recreational facilities, and wildlife programs, submitted by  
19 21 the director. The sale, exchange, or other means of disposal  
19 22 of real property with a fair market value of five million  
19 23 dollars or more requires the authorization of a constitutional  
19 24 majority of each house of the general assembly and approval by  
19 25 the governor.

19 26 Sec. 38. Section 904.317, Code 2007, is amended to read as  
19 27 follows:

19 28 904.317 DIRECTOR MAY BUY AND SELL REAL ESTATE == OPTIONS.

19 29 1. The director, subject to the approval of the board, may  
19 30 secure options to purchase real estate and acquire and sell  
19 31 real estate for the proper uses of the institutions. Real  
19 32 estate shall be acquired and sold upon terms and conditions  
19 33 the director recommends subject to the approval of the board.  
19 34 However, the sale, exchange, or other means of disposal of  
19 35 real property with a fair market value of five million dollars

20 1 or more requires the authorization of a constitutional  
20 2 majority of each house of the general assembly and approval by  
20 3 the governor. Upon sale of the real estate, the proceeds

20 4 shall be deposited with the treasurer of state and credited to  
20 5 the general fund of the state. There is appropriated from the  
20 6 general fund of the state to the department a sum equal to the  
20 7 proceeds so deposited and credited to the general fund of the  
20 8 state which may be used to purchase other real estate or for  
20 9 capital improvements upon property under the director's  
20 10 supervision.

20 11 2. The costs incident to the securing of options and  
20 12 acquisition and sale of real estate including, but not limited  
20 13 to, appraisals, invitations for offers, abstracts, and other  
20 14 necessary costs, may be paid from moneys appropriated for  
20 15 support and maintenance to the institution at which the real  
20 16 estate is located. The fund shall be reimbursed from the  
20 17 proceeds of the sale.

20 18 DIVISION IX  
20 19 EFFECTIVE DATE

20 20 Sec. 39. EFFECTIVE DATE. Except as provided otherwise,  
20 21 this Act, being deemed of immediate importance, takes effect  
20 22 upon enactment.

20 23 SF 403

20 24 jp:mg/cc/26